



CERTIFICATE OF MAILING

I hereby certify that this document is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to the Commissioner of Patents, Alexandria, Virginia, 22313, on this 6th day of February, 2004.

Wendy Frick
Wendy Frick **LESLIE ANN KUDER**

PATENT

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FEB 13 2004

OFFICE OF PETITIONS

H7

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Joseph B. Richey, II	:
		:
Serial No.:	10/068,391	:
		:
Filed:	February 6, 2002	:
		:
For:	SYSTEM AND METHOD FOR DRIVING	:
	AN ELECTRIC VEHICLE	:
		:
Attorney Docket No.:	12873-04187	:

**DECLARATION IN SUPPORT OF PETITION FOR REVIVAL FOR UNAVOIDABLE
ABANDONMENT UNDER 37 C.F.R. §1.137(a)**

Commissioner of Patents
Mail Stop Petition
P.O. BOX 1450
Alexandria, VA 22313-1450

Dear Sir:

DECLARATION OF TAMMY BUNCH

I, Tammy Bunch, do hereby declare as follows:

1. I am the docket clerk for the Intellectual Property Practice Group of Calfee, Halter & Griswold LLP and it is and was my responsibility from June of 1993 through the present to enter into the docket system all intellectual property matters requiring a response to the U.S. Patent and Trademark Office.
2. The docket system which I used from June of 1995 through the present is a commercial docket system obtained from Computer Packages, Inc.
3. It is the practice and policy of Calfee, Halter & Griswold LLP that all correspondence addressed to any member of the Intellectual Property Practice Group from whatever source including clients and/or the

U.S. Patent and Trademark Office be delivered to me initially for opening and review to determine if, in fact, a response is due to the U.S. Patent and Trademark Office.

4. After reviewing the correspondence and making noted entries in the computerized docket system as required and also noting such entries on any correspondence from the U.S. Patent and Trademark Office, it is my custom and practice to deliver such documents to the responsible attorney for the particular matter.

5. I have reviewed the docket sheets for Ned Pejic, the attorney of record for the above-described application. Upon such review, I did not find an entry on the docket sheets of Mr. Pejic indicating that a response was due to a Notice To File Missing Parts Of Non-Provisional Application for the above-described application. Of my own knowledge, I know that such an entry, if made, would have appeared on the docket sheet of this attorneys. Also attached is a copy of the complete docket report for matters having actions due on or about May 4, 2002. The attached docket reports, attached hereto as Exhibit A and Exhibit B, are true and accurate copies of the docket reports run on or about May 4, 2002. Some of the names and the titles or portions of the titles for entries relating to clients other than the owner of the above-described application have been redacted from these copies.

6. I have reviewed the computer data base for the file and matter number of the above-described application. There is no entry under this file and matter number indicating that a Response to the Notice To File Missing Parts Of Provisional Application with a mailing date of March 4, 2002 was received for the above-described patent application.

7. I have no independent recollection of the receipt of an Office Action Notice To File Missing Parts Of Provisional Application with a mailing date of March 2, 2002.

8. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2/6/04
Date

Tammy Bunch
Tammy Bunch